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## Job-Creation Plan Successful in 2003

In the last hours of the 2003 legislative session, the Senate passed a budget bill that includes the most comprehensive economic development plan the state has implemented in 20 years. I supported this initiative in an effort to create Hoosier jobs as soon as possible.

The Senate Republicans' JOBS Plan was amended into House Bill 1001 to stimulate growth in our state's sagging economy. The legislation focuses on a number of industries, such as high-tech fields and life sciences, while providing mechanisms to spark development in distressed counties. HB 1001 passed the Senate 34 to 16 and passed the House of Representatives 61 to 37.

The 21<sup>st</sup> Century Research and Technology Fund will receive \$37.5 million over the next two years, which reinstates the funding that was pulled last spring. \$4.5 million per year was allotted to help finance the construction and operation of technology centers across the state. Further, universities will play a significant role in molding our economic future; state of

the art research facilities will attract high-quality faculty and outstanding students. Our plan has targeted five such facilities with over \$129 million toward construction.

Tax stability is important for promoting long-term business investment. The bill extends the 10 percent Research and Development (R&D) Tax Credit through 2013 (it had been set to expire at the end of 2004). HB 1001 also includes the Hoosier Business Investment Tax Credit. New investment by existing business is the most efficient path to economic growth, but often overlooked. This 30 percent tax credit on new investments may be applied to the growth in a company's state tax liability over the next decade.

**The JOBS Plan  
will help create  
a healthy  
economic climate  
to attract  
employers  
to Indiana.**

*see JOBS, page two*

### 3 Proposed Constitutional Amendments on the November 2004 Ballot:

- The establishment of a line of succession in case the governor and lieutenant governor cannot fulfill their duties and the General Assembly cannot meet to choose a new leader.
- The elimination of the constitutional requirement that businesses be taxed on inventory.
- Permission for the General Assembly to set the dates for beginning terms of county officers, such as clerk and sheriff, for a uniform schedule of starting dates across the state. Currently, some county officials must wait up to 18 months to take office after being elected.

### Amending the Indiana Constitution

- Changes to the state's constitution must be approved by two separately elected, consecutive Indiana General Assemblies.
- If both assemblies agree, the change would be voted upon in the next general election.
- If a majority of voters approve the changes, the amendment becomes part of the Indiana Constitution.



Research legislation  
on the General Assembly's  
Internet web site at  
[www.in.gov/legislative](http://www.in.gov/legislative).

Click on the link to  
"Bills and Resolutions,"  
then type in the bill number  
or search by topic.

## Bill Helps to Track Offenders

This session, I authored a bill that will further protect Hoosiers from potentially dangerous criminals. With Senate Bill 205, Indiana joins other states in adopting the Interstate Compact On Adult Offender Supervision.

Relying on cooperation among the states, the bill improves procedures to regulate adult offenders on parole and probation who move across state borders. The new compact replaces a less effective version which was adopted in 1937.

Coming in to testify from Washington, D.C., Kermit Humphries, of the Department

of Justice, testified before the Senate Committee about the importance of the legislation. Another witness who testified on the significance of the Interstate Compact was Richard Masters, an attorney from the Council of State Governments (CSG). CSG is a national organization headquartered in Lexington, Kentucky providing services to the legislative and executive branches of state governments.

Under the existing compact, violations of parole and probation have become frequent due to its outdated nature. With the

*see OFFENDERS, page two*



# OFFENDERS

continued from page one

ease of interstate travel today, 250,000 of over 4 million offenders will travel from state to state and will be overseen by about 3,285 different local parole and probation offices, which operate within 860 different agencies. The current compact has no provisions for a central staff and no national system to monitor the flow of offenders from state to state.

This legislation adds a commissioner from Indiana to the National Interstate Commission for Adult Offender Supervision and delegates to the Commission the authority to adopt rules concerning the transfer of probationers and parolees between states. The compact provides for the creation of a national database that will allow states to share critical offender information.

The revised Interstate Compact will increase the information compiled and provide accountability for reporting information about offenders on probation and parole in a timely manner.

Timely information is crucial. In 1998, Donta Paige was released by a Maryland judge to a Denver drug treatment facility on the condition that he be placed on three years supervised release. No one from Maryland's criminal justice system told Colorado officials of Paige's plans, although they were required under the old compact to share with Maryland information about parolees and probationers. After four months, Paige was kicked out of the treatment facility, broke into a nearby apartment and raped and fatally stabbed a woman. Maryland officials claimed they were not obligated to notify Colorado because Paige was released by a judge and not a parole board.

Because of this case and others like it and with the increased numbers of probationers and parolees, there was a nationwide push to create a new interstate compact to improve how states track parolees and probationers who cross state lines. The new compact more clearly spells out the obligations of states in tracking those released from prison. It governs the travel of offenders, setting out rules which regulate the circumstances under which they can move to other states.

# Community Revitalization Approved for Area Cities

Senate Bill 232, which I co-authored during the 2003 legislative session, was included as part of the state's economic development package. The bill allows tax credits for 25 percent of qualified investment for the redevelopment or rehabilitation of property located within a designated Community Revitalization Enhancement District (CRED).

All first and second class cities such as Elkhart, Mishiwaka, and South Bend are eligible to designate a CRED. Local governments will be able to capture 75 percent of the sales tax and income tax in incremental amounts generated in the district — up to \$750,000 per year. The money must be used to enhance the value of the property in order to make it more suitable for industrial or retail use.

In Elkhart, local officials plan to designate the Bayer building area as a CRED. The Bayer building is approximately 900,000 square feet and was built prior to the 1940s. It is currently a challenge for the city of Elkhart to bring this building up-to-date, as it was most recently used for the limited purpose of tablet-making.

# JOBS

continued from page one

The JOBS Plan addresses the needs of small communities with our rural economic development package. We have provided incentives for industrial development in distressed counties by offering state tax forgiveness to new businesses that locate in those areas.

The plan strives to produce job creation and sustained employment for residents in counties where the average unemployment rate has consistently been higher than the state's average over the past two years. The legislation aims to assist many counties across the state with their economic development efforts by focusing attention on the rate of joblessness, not the number of jobs lost.

Because economic success in this new century relies heavily on the ability to communicate rapidly, we have extended the I-Light 2 Fiber Optic Network with \$5 million in funding each year. Access to high-speed data transmission throughout the state is crucial to the success of any rural economic development initiative.

In addition, the budget includes tax credits for the production and use of Indiana grain-based fuels. The measure covers all

facets of processing — from soybean crushers to oil refineries to the service stations that will supply the fuel — while increasing the demand for agricultural commodities and thereby increasing farmers' profits. The production and use of ethanol and biodiesel takes a step toward reducing dependence upon foreign oil by using a renewable fuel source that is also environmentally friendly.

Adopting a comprehensive economic development plan was one of the most important legislative actions of 2003, especially when coupled with the economic development legislation passed last year. This plan should be a sound investment for all Hoosiers.

# Unclaimed PROPERTY

The Indiana Attorney General's office has compiled a list of names of individuals who have unclaimed property such as:

- Credit balances
- Savings and checking accounts
- Unpaid wages
- Mutual fund shares
- Insurance proceeds
- Uncashed traveler's checks
- Utility deposits

The Attorney General lists the unclaimed property in the form of a searchable database online at [www.indianaunclaimed.com](http://www.indianaunclaimed.com). Or call, toll-free, 1-866-IN-CLAIM (1-866-462-5246).

# AMBER ALERT UPDATE

President Bush recently signed the Protect Act of 2003, which formally establishes a national Amber Alert system. The Protect Act authorizes matching grants to states and sets up a clear and uniform standard for the use of Amber Alerts across the country.

Last year I authored the law establishing the Amber Alert response plan here in Indiana. The state police followed with a plan to work with media outlets to provide information about missing children to the public. With the expansion of the Amber Alert plan nationwide, law enforcement agents will now gain thousands of eyes and ears in the search for missing children, and increase cooperative efforts.

This new law carries forward a fundamental responsibility for us to do everything we can to protect the most vulnerable citizens from dangerous offenders who prey upon them.

This session, I was able to strengthen the Amber Alert program in Indiana at the request of the Indiana Broadcasters Association.



State Senator Joe Zakas was asked by Governor Frank O'Bannon (left side of photograph) to speak at the ceremony for the statewide implementation of the Amber Alert program in Indiana. The announcement took place at the State Police Headquarters in Indianapolis last October.

# Other Legislative Acts Passed This Session

**Senate Enrolled Act 493** removes impediments for home and community based health care options for thousands of Indiana seniors and disabled individuals. This legislation equalizes the income eligibility standard, Medicaid "spend down" requirements, and spousal impoverishment rules that, in turn, will increase the number of individuals eligible for Medicaid waiver in-home services. Also, the bill will leverage more federal dollars without spending any additional state dollars.

**House Enrolled Act 1242** removes language in response to an Indiana Supreme Court decision promulgated earlier this year. The Court pronounced as "unconstitutional 'special' legislation" the law which provided citizens of St. Joseph County more ability to prevent forced annexations. As a result of the decision, most agreed that a similar statewide annexation remonstrance procedure would apply in St. Joseph County. The bill removes language in order to reflect this result of the Court's decision, clarifying that the statewide law would apply in St. Joseph County.

**Senate Enrolled Act 13** allows a person sentenced to death who has exhausted appeals to petition the Indiana Supreme Court if previously undiscovered evidence is found that could lead to the person's exoneration.

**Senate Enrolled Act 320** strengthens Indiana's identity theft law. It ensures that an individual's address, telephone number, place of employment, employer identification number and mother's maiden name are considered identifying information and protected

under the identity theft law.

**Senate Concurrent Resolution 36**, authored by Sen. Zakas, encourages the efforts of the Indiana Congressional delegation to seek federal funding for the U.S. 31 expressway project in a highway projects bill before Congress. Zakas pushed for improvement to the corridor stretching from South Bend to Indianapolis to a limited access quality highway. Zakas was able to enlist the support of 12 senators whose districts are impacted by the corridor to co-author the measure.

**House Enrolled Act 1219** allows counties that haven't completed general reassessment by the deadline to issue temporary provisional property tax bills. The county must distribute the collections to taxing units in the county, such as schools and libraries, within 51 days after the property tax due date. On-time distributions could reduce or eliminate the need for short-term borrowing that schools and other local governmental entities might need to maintain their cash flow, reducing interest payments.

**House Enrolled Act 1515** defines what a home inspection report must contain.

**Senate Enrolled Act 365** extends the protections of the Federal Soldiers' and Sailors' Civil Relief Act and the Uniformed Services Employment and Reemployment Rights Act to members of the Indiana National Guard who are ordered to active duty by the governor. The aim is to provide adequate rights and benefits to demonstrate our appreciation.